



January 13, 2022

Via ECF

The Honorable Leda Dunn Wettre  
United States Magistrate Judge  
United States District Court, District of New Jersey  
50 Walnut Street, Room MLK 3C  
Newark, NJ 07101

**Re: *Ruth Lara, et al. v. Puff Bar, et al.***  
**Case No. 2:20-cv-08030-JXN-LDW**

Dear Judge Wettre:

Plaintiffs respectfully submit this Status Letter in compliance with the Court's Amended Scheduling Order (Doc. 72).

**Written Discovery.** On October 8, 2021, the Parties exchanged responses to written discovery requests, including Interrogatories, Requests for Production, and Requests for Admission. On November 5, 2021, Plaintiffs followed up with Defendants on when Plaintiffs could expect to receive responsive documents as the documents had yet to be produced. Plaintiffs received no response. On December 13, 2021, Plaintiffs followed up again. It was not until yesterday, January 12, 2022, that Plaintiffs received responsive documents from Defendants.

Upon a cursory review of this production, it appears Defendants have only produced 33 pages of documents in response to Plaintiffs' 157 Requests for Production that surround significant issues in the case. This is far outside the norm for a corporation—particularly when the Requests cover document-heavy issues such as design and manufacture, marketing materials, and FDA communications regarding Puff Bar products and nicotine addiction. In short, the amount of documents produced by Defendants is highly unusual given the subject matter and scope of Plaintiffs' discovery requests. As a result, Plaintiffs do not believe written discovery is close to completion.

**Depositions.** While Plaintiffs agree that topics are required for the deposition of a Fed. R. Civ. P. 30(b)(6) witness, it goes without saying that Plaintiffs are seeking to depose the Defendants named in the Complaint. Notwithstanding, Plaintiffs agree that, in order to prevent multiple depositions of the same witnesses, no depositions need occur prior to the resolution of Plaintiffs' Motion for Leave to File a Third Amended Complaint.

Counsel for Plaintiffs are prepared to discuss these issues further at the telephonic conference set for January 20, 2022 at 2:30p.m.

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Respectfully submitted,

/s/ Jeffrey L. Haberman

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